



\$ 1638
38-21(15757)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to BOX AMENDMENT - FEE, Assistant Commissioner for Patents, Washington, D.C. 20231 on May 29, 2002.

Thomas P. McBride
Reg. No. 32,706

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In re application of:)
Christopher G. Taylor and Yong Huang)
Serial No.: 09/386,605) Examiner: Georgia L. Helmer
Filed: August 31, 1999) Group Art Unit: 1638
For: NOVEL TRANSGENE ASSAY USING)
STABLE AGROBACTERIUM RHIZOGENES)
TRANSFORMATION)

BOX AMENDMENT - FEE
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith are the following documents in the above-identified application.

- X Remarks in Response to Office Action Dated November 29, 2001
- X Petition for Extension of Time under 37 CFR 1.136(a)
- X If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 13-4125 accordingly.
- X Please charge any deficiencies or credit any overpayment to Deposit Account 13-4125. A duplicate copy of this sheet is attached.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Taylor et al.

Serial number:

09/386,605

Filing Date:

08/31/99



Group Art Unit:

1638

Examiner:

Helmer, G.

Title:

**Transgene Assay Using Stable
Agrobacterium Rhizogenes
Transformation**

Docket Number

38-21 (15757)

#12/A
AP 6/25/02
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AMENDMENT A

**COPY OF PAPERS
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COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

Dear Sir:

In response to the Office Action dated 11/29/01, Paper No. 10, please enter the following amendments and remarks of record. A petition for a three (3) month extension of time is being provided herewith to render this Amendment A timely filed.

IN THE CLAIMS

Please replace claims 1, 3, 8 and 11 with the amended claims below:

A¹
1. (amended) A method for producing a stably transformed chimeric plant having transgenic root tissue, the method comprising the steps of:
obtaining an explant from a selected plant species;
transforming the explant with *Agrobacterium rhizogenes* containing an exogenous nucleic acid sequence capable of being transferred to the explant;
culturing the transformed explant in a root initiating media to produce transformed roots; and
transferring the transformed roots to soil or a hydroponic environment to produce the chimeric plant having transformed roots and wild type shoots, stems and leaves.